



THE CITY OF NEW YORK
LAW DEPARTMENT

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MICHAEL A. CARDOZO
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September 26, 2011

VIA ECF FILING

Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: USA v. City, Civil Action No.: 07 CV 2067 (NGG)(RLM)
Law Dept. No.: 2007-017441

Dear Judge Garaufis:

Defendants write in response to counsel for USA's suggestion that any reopening of the filing period extend until 6:00 p.m. on September 28, 2011. Defendants are opposed to the additional extension proposed by the USA because it has the potential to delay the administration of the new examination. With more than 60,000 applicants for the examination already, defendants' testing expert must begin the work of assigning applicants to testing centers, dates and sessions as soon as possible. Delaying the close of the application period by an additional 18 hours will not only unnecessarily further increase the number of applicants, it will delay the production of the complete applicant data set that will be used to match applicants to test sites by their zip codes. A substantial number of additional applicants and a longer delay in finalizing the applicant data set could impact on the test administration dates. Mindful of this Court's admonition to develop and administer the test as expeditiously as possible, the City proposed a 24 hour period to commence as soon as possible in order to minimize the potential for delay in test administration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael A. Cardozo", is written over a faint, larger version of the same signature.

Michael A. Cardozo